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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,348	12/27/2005	Jurgen Luers	2003P07111WOUS	6250
22116	7590	08/09/2006	EXAMINER	
SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			HUANG, WEN WU	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/562,348

Applicant(s)

LUERS, JURGEN

Examiner

Wen W. Huang

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claims 1-12 are canceled.

Claims 13-23 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 13-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Palin et al. (US 2004/0266347 A1; hereinafter "Palin")

Regarding **claim 13**, Palin teaches a telecommunications terminal (see Palin, fig. 2A, component 102) having a user interaction function adapted to establish a telecommunications connection (see Palin, fig. 2A, component 210), comprising:
a signaling mechanism adapted for signaling incoming calls to the selected connection (see Palin, fig. 2A, component 214, para. [0039], line 11);

an input device adapted for inputting outgoing messages and a telecommunications connections data (see Palin, fig. 2A, component 212, para. [0039], line 7);

a display device adapted for displaying incoming messages (see Palin, fig. 2A, component 212, para. [0039], line 12);

a local-area transceiver (see Palin, fig. 2A, component 220) adapted for wireless traffic between the telecommunications terminal and an external gateway (see Palin, fig. 1, component 108; para. [0031], lines 6-8) for establishing the telecommunications connection (see Palin, para. [0037], lines 9-12); and

an internal gateway (see Palin, fig. 2A, component 222), component for connecting to a mobile radio communications network (see Palin, para. [0031], lines 4-5) and for interfacing (see Palin, para. [0038]) to the selection mechanism, the signaling mechanism, the input device, and the output device (see Palin, para. [0039]), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Palin, para. [0036], line 6).

Regarding **claim 14**, Palin also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a Bluetooth standard having loadware adapted for connecting to the gateway (see Palin, para. [0031], line 12).

Regarding **claim 15**, Palin also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a wireless LAN having loadware adapted for connecting to the gateway (see Palin, para. [0003]).

Regarding **claim 16**, Palin also teaches the telecommunications terminal according to claim 13, further comprising a user-data memory (see Palin, fig. 2A, component 216) adapted for storing connection-data records of a predetermined connection that can be established between the external gateway and the telecommunications terminal (see Palin, para. [0044], lines 1-5).

Regarding **claim 17**, Palin also teaches the telecommunications terminal according to claim 16, further comprising an authentication-data input (see Palin, fig. 2A, component 212; para. [0039], line 1) for inputting an authentication data of a user, the data authentication-data interfacing with the local-area transceiver for transmitting the authentication data to the gateway (see Palin, para. [0079], lines 3-9).

Regarding **claim 18**, Palin also teaches the telecommunications terminal according to claim 17, further comprising a processor and memory (see Palin, fig. 2A, components 206 and 208) to provide PDA functionality that is independent of the telecommunications functions (see Palin, para. [0036], line 6).

Regarding **claim 19**, Palin teaches a telecommunications assembly, comprising:
a telecommunications terminal (see Palin, fig. 2A, component 102) having a user interaction function adapted to establish a telecommunications connection (see Palin, fig. 2A, component 210), comprising:

- a signaling mechanism adapted for signaling incoming calls to the selected connection (see Palin, fig. 2A, component 214, para. [0039], line 11);

- an input device adapted for inputting outgoing messages and a telecommunications connections data (see Palin, fig. 2A, component 212, para. [0039], line 7);

- a display device adapted for displaying incoming messages (see Palin, fig. 2A, component 212, para. [0039], line 12);

- a local-area transceiver (see Palin, fig. 2A, component 220) adapted for wireless traffic between the telecommunications terminal and an external gateway (see Palin, fig. 1, component 108; para. [0031], lines 6-8) for establishing the telecommunications connection (see Palin, para. [0037], lines 9-12); and

- an authentication-data input mechanism allowing an authentication-data input, the authentication-data input (see Palin, fig. 2A, component 212; para. [0039], line 1) mechanism interfacing with the local-area transceiver for transmitting the authentication data (see Palin, para. [0079], lines 3-9); and
an external gateway (see Palin, fig. 1, component 108), comprising:

a local-area receiver (see Palin, fig. 8, component 806) adapted to receive transmission from telecommunications terminal including the authentication-data input (see Palin, fig. 8, component 834 and para. [0100], lines 1-4); and

an access control mechanism (see Palin, para. [0079], lines 3-9 adapted to block traffic to an unauthorized telecommunications terminal based on the authentication-data input and to release traffic to an authorized telecommunications terminal based on the authentication-data input (see Palin, para. [0100]).

Regarding **claim 20**, Palin also teaches the telecommunications assembly according to claim 19, wherein the external gateway excludes a signaling mechanism, an input device, and a display device (see Palin, fig. 1, component 108).

Regarding **claim 21**, Palin also teaches the telecommunications assembly according to claim 19, wherein the local-area transceiver includes a threshold discriminator for detecting an entry into the radio transmission range of an telecommunications terminal (see Palin, para. [0072], lines 6-8), the threshold discriminator is operatively connected to a communications-start control device for initiating a communications start procedure with the telecommunications terminal (see Palin, para. [0074]) after entering into the radio transmission range (see Palin, para. [0071]).

Regarding **claim 22**, Palin also teaches the telecommunications assembly according to claim 21, wherein the telecommunication terminals includes an internal gateway (see Palin, fig. 2A, component 222), component for connecting to a mobile radio communications network (see Palin, para. [0031], lines 4-5) and for interfacing (see Palin, para. [0038]) to the selection mechanism, the signaling mechanism, the input device, and the output device (see Palin, para. [0039]), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Palin, para. [0036], line 6).

Regarding **claim 23**, Palin also teaches the telecommunications assembly according to claim 19, wherein each local-area transceiver for a plurality of the telecommunication terminals (see Palin, fig. 1, components 102 and 110) are configured for directly exchanging traffic with each other without the intermediate connection of an external network (see Palin, para. [0074], line 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kotzin (US PUB NO. 2004/0204076 A1) teaches a subscriber device with WLAN transceiver.

Kjayrallah (US PUB NO. 2002/0115409 A1) teaches a method to achieve diversity in a communication network.

Kondou et al. (US PUB NO. 2004/0248569 A1) teach a portable phone with short-range transmission.

Karaoguz et al. (US PUB NO. 2004/020175 A1) teach a device for selective power management in a short-range communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen W. Huang whose telephone number is (571) 272-7852. The examiner can normally be reached on 10am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wwh

 8/11/06

 8/7/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER